
Office of the City Attorney

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER _____

Resolution Supporting the Occupy Wall Street Protest Movement, Declaring that City Continues to Unequivocally Embrace the First Amendment to the U.S. Constitution and the City's Duty to Uphold the People's Right to Peaceful Assembly and Urging Mayor Jean Quan to Collaborate with Occupy Oakland to Develop Measures and Procedures to Ensure Safety of the Protestors, their Supporters, City Employees and the Greater Public

WHEREAS, "Occupy Wall Street" was formed by a broad spectrum of people coming together to protest the corporate-serving economic and political system controlled by the one percent (1%), profiting at the expense of ninety-nine percent (99%) of the people; and

WHEREAS, three years after the current financial crisis caused by Wall Street speculators and profiteers, the unemployment rate in the United States is still at the highest level since the Great Depression with the unemployment rate in Oakland reaching double digits; and;

WHEREAS, the United States' major banking institutions, which have been bailed-out by the government and United States taxpayers, have done little to prevent massive foreclosure of residential properties or support the revitalization of local economies by sustaining small businesses; and

WHEREAS, since 2008, there have been 1.2 million foreclosures in California, with 10,000 completed foreclosures in Oakland alone since January 2007; and

WHEREAS, The "Occupy Wall Street" protest movement has struck a chord with the people of the United States and around the world, inspiring over 900 similar protests and solidarity actions across the country, where tens of thousands of people have come out to express their deep indignation against Wall Street greed and systemic socio-economic injustices; and

WHEREAS, the "Occupy" demonstrations are a rapidly growing movement of people from all walks of life with the goal of occupying public space in order to create a shared dialogue and assert demands for economic justice; and

WHEREAS, the “Occupy” demonstrations have been supported by the California Nurses Association/ National Nurses Association, American Federation of Labor - Congress of Industrial Organizations, Change to Win, International Longshore and Warehouse Union-International, Teamsters Joint Council 7, Services Employees International Union, Laborers International Union of North America, and many others; and

WHEREAS, the Occupy Oakland demonstrations began in September with small gatherings of people and have since grown and gained support from thousands of individuals, community and faith-based organizations, and unions; and

WHEREAS, similar to demonstrations in hundreds of cities across the United States, Occupy Oakland demonstrators are asserting their rights to free speech and peaceful assembly 24 hours a day, seven days a week, in order to create public dialogue around corporate control of the political process and public space; and

WHEREAS, numerous and various groups continued to join the protesters at Occupy Oakland; and

WHEREAS, the City of Oakland has a right and duty to take actions and establish procedures with the goal of ensuring the safety and security of the general public including but not limited to the protestors and their supporters; and

WHEREAS, during period of the protests, the City removed food, tents, sleeping bags, and other belongings from the grass area of Frank H. Ogawa Plaza; and

WHEREAS, some members of the public have suffered injuries and some members of the public have been arrested during the period of the protests; and

WHEREAS, the City has a lengthy and proud history of political protest and has upheld the rights of people to free speech, freedom of assembly, and peaceful protest; and,

WHEREAS, members of the Oakland Police Department and other City employees and officers, the protestors, their supporters, the overwhelming majority of Oakland residents, business owners and their employees and Oakland visitors are all part of the 99% and the Oakland City Council desires that all of these entities, groups and people act in solidarity to focus on the economic and social inequities in our society, and does not want to see the power of the movement undercut by splintering and pitting people who share the same status and goals against each other; and

WHEREAS, the City Council desires that the Mayor set a tone of cooperation and collaboration with Occupy Oakland protestors and supporters, in addressing any public safety, health and sanitation concerns; now, therefore, be it

RESOLVED, That the Oakland City Council supports the Occupy Wall Street protest movement and the rights of all who protest to assemble peacefully and enjoy free speech in the City of Oakland; and, be it

FURTHER RESOLVED, That the Oakland City Council recognizes that Free Speech and Freedom of Assembly is a sacred right under the U.S. Constitution; and, be it

FURTHER RESOLVED, That the Oakland City Council urges Mayor Jean Quan to direct the Recreation and Park Department, the Department of Public Works, the Police Department, and other City agencies, as relevant, to collaborate with protestors for the safe and lawful use of public spaces, in which demonstrators can exercise their First Amendment rights and the City can address safety concerns and laws in a cooperative manner; and, be it

FURTHER RESOLVED, That the Oakland City Council urges the City Administration, whenever reasonably possible to address any public health issues, fire safety issues, noise disturbances of neighbors or violence in the camp, with verbal communication among the protestors and city or county officials ; and be it **FURTHER RESOLVED**, That the Oakland City Council declares that it does not support the use of force to remove the encampment unless absolutely necessary, after, engaging in verbal communications, whenever reasonably possible; and urges Mayor Jean Quan, and the City Administration to exercise their administrative powers, if possible, in a manner that will not involve the use of force to remove the encampment.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, AND
PRESIDENT REID

AYES-
NOES-
ABSENT-
ABSTENTION

Attest: _____
LaTonda Simmons
City Clerk and Clerk of the
Council of the City of Oakland, California